

REMARKS

Claims 1-8 have been examined. Claims 9-12 have been added. Claims 1-12 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for accepting the drawings filed on November 13, 2001, and for acknowledging claim to foreign priority under 35 U.S.C. § 119 and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for reviewing and initialing the documents in the Information Disclosure Statement filed on November 13, 2001.

Substantive matters

Claims 1-8 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,891,634 to Nihei. Applicant respectfully traverses this rejection.

Independent claim 1 recites, *inter alia*, a storage means for storing a composite image and original images together with corresponding combining data required for generating the composite image. The Examiner maintains that this feature is taught by the working DRAM disclosed at col. 8, lines 31-59 of Nihei. However, Applicant respectfully disagrees with the Examiner's position. While the working DRAM discussed at these lines stores template image data, designated print image data, and composite image data, the working DRAM does not store "combining data required for generating the composite image", as required by claim 1.

Additionally, independent claim 1 recites a selection process means for executing a selection process that outputs one or more of the composite image, original images, or combining data based on a specified output destination device. The Examiner maintains that this feature is

taught by Nihei at col. 8, lines 31-59. However, Applicant respectfully disagrees with the Examiner's position.

At col. 8, lines 31-59, Nihei discloses outputting composite data based on whether an idle printer is available and whether image processing of image data applied to the idle printer is complete. Additionally, a print command is transmitted to the printer to which the composite data was transferred. However, no selection process occurs among the composite data, the original data, and the combining data. Indeed, since Nihei does not disclose the claimed combining data, it is logically impossible for Nihei to disclose a selecting means which selects among a group of data including combining data. Therefore, claim 1 is patentable over Nihei for at least this additional reason.

Independent claim 5 recites limitations similar to those present in independent claim 1 discussed above. Therefore, claim 5 is patentable over Nihei for the same reasons discussed above with respect to the patentability of claim 1. The remaining claims are patentable based on their dependencies.

New claims

Applicant adds herewith new claims 9-12 to claim additional features of the invention.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

U.S. Appln. No. 09/987,076
Amendment Under 37 C.F.R. § 1.111

Q66742

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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